

# Agriculture Workgroup Meeting Notes

January 10, 2013

USFWS Annapolis Field Office

# AgWG

- Welcome and Introductions
- Meeting Notes
  - Amended notes reviewed
  - Recommendation to be consistent on the identification of speakers by organization
  - Approval by NGO motion and seconded by DE; all yea
- Urban Stream Restoration
  - Expert panel recommendations reviewed
  - December 17, 2012 multi-sector review meeting held
  - Established a 30 day comment period
  - Encompasses both urban and rural land use BMPs
  - Report and ppt. presentation are available online

# AgWG

- Urban Stream Restoration cont.
  - Three BMP protocols recommended with fourth protocol considered for dry channel
  - Project credit life span is recommended for five years with credit renewal based upon performance inspections
  - Panel recommended that urban qualifiers and stressors would be applicable to non-urban areas and may even produce higher reduction values
  - Described non-urban stream restoration projects that would not qualify such as AMD remediation, stream fencing, etc.

# AgWG

- Urban Stream Restoration cont.
  - NGO comment on short length of credit life span based on value of investments
  - Response: renewal available via inspections for longer crediting period
  - NGO comment on qualifier on quick fixes such as rip rap placement
  - Response: significantly increased removal rates being recommended over previous credit levels require increased level of performance
  - NGO comment on source of pervious effectiveness values
  - Response: previous values based on one urban study near Baltimore, MD

# AgWG

- Urban Stream Restoration cont.
  - NGO comment on how effectiveness value system compares to current method
  - Response: panel recommended a site specific performance assessment versus a set percent effectiveness value system
  - NGO comment on verification of projects over time and requirement recommended
  - Response: recommendations include a performance assessment for alternative cycles of verification under regulatory programs; a resource issue for permit staff
  - NGO comment that there is a relationship between the expert panel recommendations on verification and the agricultural panel recommendations; interested in more detail on the out-years of implementation related to verification

# AgWG

- Urban Stream Restoration cont.
  - USDA comment that an impact assessment is implemented on a site specific basis; how is this achieved for new sites
  - Response: the panel recommendations included equations and calculations for determining the site impacts
  - Chair asked if the recommendations applied to MS4 areas only or for all areas
  - Response: the recommendations apply to all areas
  - Coordinator: asked if the AgWG should consider revising the existing non-urban based on the recommendations of the Urban panel
  - WG discussion on how the panel recommendations would apply to non-urban areas

# AgWG

- Urban Stream Restoration cont.
  - Chair asked opinion of the group on the concept of revising the non-urban stream restoration based on the recommendations of the urban stream restoration
  - WG voiced interest in reviewing the re-evaluation of the existing BMP once the Urban panel recommendations are approved by the WQGIT; likely in the March timeframe
  - NGO comments on the need to address this topic with prior notice to the WG, and that the group needs to be mindful of existing panel commitments
- Urban NM
  - Panel recommendations discarded the current rates of BMP credit in light of new regulations and industry efforts

# AgWG

- Urban NM cont.
  - New proposed rates are approximately 1/3 to ¼ the values of the current BMP
  - Outreach credit for three years is controversial
  - Includes 10 core practices for urban NM
  - Sociological behavior research explored; could not identify significant quantified physical changes
  - Alternative Outreach includes targeted educational outreach with a credit of the initial three years of three % and subsequently would require verification
  - MD commented on the higher level of credit value assigned to outreach compared to that afforded to mandatory agricultural NM
  - Response: this item is very controversial and may be revised or eliminated; recommendations based on the discussions of the panel; need for improved statistics



# AgWG

- Urban NM cont.
  - Panel was conservative in the nutrient credits included in the recommendations
  - NGO commented that the level of credit between state regulated bans vs. non-regulated is relatively small
  - DE commented that its proximity to MD and the associated urban fertilizer ban has had benefits for DE nutrient reductions
  - Response: the difference is relatively small but was based on the industry changes which affect all states; the free-loader effect
  - Recommendations included verification elements such as record keeping, sub-sampling requirements
  - 84, 000 farms vs. 4 million lawns; a verification resource issue

# AgWG

- Urban NM cont.
  - NGO comment on if Florida regulations and programs were considered by the panel
  - Response: the panel did not feel that the Florida regulations and programs were that exceptional
  - MD comments have not been reflected in the recommendations at this time
  - Response: the review comments will be considered after the comment deadline for the next revision
  - MD question on slide 4 nutrient reductions related to the 10 core practices
  - Response: the 10 principles are meant to be a qualifying guide
  - USDA commented that 20 to 30 % of the urban sites are the higher risk sites; can these be identified

# AgWG

- Urban NM cont.
  - Response: the recommendations include land aspects that would allow the identification of high risk sites; a higher value is assigned to these areas
  - NGO commented on the limited level of verification included in the recommendations; concerned that there is an inconsistent level of equality
  - Response: the panel did consider a higher level of verification but a jurisdiction objected to this language, which was very similar to the Ag verification language; would appreciate comments on this from the WG
  - NGO commented on the SEA grant program work on comparing agricultural and urban BMPs; level of information not known at this time

# AgWG

- Agricultural Verification
  - Chair reviewed the status of the verification development process and the presentation to the BMP Verification Review Panel on December 6<sup>th</sup>
  - Chair reviewed the current revised verification matrix based on the comments by the AgWG on November 29<sup>th</sup> and the BMP Verification Review Panel.
  - NY comment on the differences between management plans vs. BMPs in the category
  - MD comment on the differences included on the new protocol for self-certification with training; importance of the level of training and certification for meaning
  - NGO comment that the new self-certified protocol does not allow self-certification of structural BMPs
  - Chair commented that “maybe” could replace “no” in that category

# AgWG

- Ag Verification cont.
  - NGO comment on the number of options included in the current matrix commended on by the Review Panel; focus on priority BMPs vs. all BMPs
  - Chair responded that the WG is trying to address all BMPs and provide the partnership with a full array of options
  - MD commented that the currently posted matrix does not contain a protocol for regulatory programs
  - Coordinator responded that the current posted version is incorrect and that the correct version does contain the line for regulatory programs
  - Chair responded that the correct version will be provided to the WG

# AgWG

- Ag Verification
  - NGO comment on the need to identify the most critical BMPs for jurisdiction's TMDL-WIPs
  - NGO comment on the need for clarity on the 80% threshold level for defining confidence
  - NGO comment on the need for additional materials for supporting the matrix
  - Chair responded that the WG will be reviewing and commenting on the elements of the full verification package
  - NGO requested that a full review of the matrix be included along with the package and that specific comments be requested and obtained
  - Chair responded positively

# AgWG

- Ag Verification
  - NGO comment on the status of the outreach that was noted previously
  - Chair responded that the outreach effort has been placed on hold until the materials have been developed more fully
  - NY commented on the status of the index tool being developed by Tt
  - Chair and Coordinator responded that the tool will not be presented today but information on the tool will be provided to the membership soon
  - NGO comment on the interrelationship between the expert panels and the verification process
  - Chair responded that the verification process has not been completed and the panel have limited ability to utilize them at this time; future panels will have access

# AgWG

- Ag Verification
  - NGO comment on the status of the current panels and revised schedule; manure technology panel?
  - Chair responded with the current status of the panels and that new panels are not intended to be established at this time
  - MD commented that new regulations and rules are being implemented which do not currently allow for model credit; new panels are needed to allow for credit
  - Chair recognized the need but also noted the limit of expertise available for additional panel members; interested in hearing options
  - USDA recommended that the list of BMPs may include specialized BMPs that would involve other experts that are not currently engaged; NGO agreed
  - Chair responded that will review the current list of BMPs for review and form a recommendation back for the WG review



# AgWG

- Ag Verification
  - USDA noted the need for assistance with the existing panels
  - NGO asked the level of private sector involvement in the panels
  - Chair responded that varying levels of participation on existing BMPs
  - Break for lunch
- MPA
  - Chair and Coordinator reviewed the background of the MPA request from the WQGIT, the subsequent WG priorities and WQGIT priorities, and the development of the three MPA work plans that the WG is the lead sector workgroup
  - Coordinator commented on the development of a modeling workshop to allow for focused ag modeling; an invitation will be going out for nominations for an ad hoc planning group
  - NGO comment on the workshop being coupled with a corresponding AgWG meeting to combine travel
  - Coordinator response is that this could be done through the planning by the ad hoc planning group

# AgWG

- MPA cont.
  - USDA comment on the BMP work plan and its relation to the current efforts
  - Chair response that it codified the current efforts through the panels
  - USDA commented that the workshop needs a firm commitment to produce a result and not just be a discussion
  - NGO recommended to invite FSA as they manage a database of agricultural reported information
  - MD commented on the decision to potentially move from AgChem to PQUAL
  - CBPO commented that the workshop is free to discuss this potential change and its relation to the input and processing
  - Chair expanded on the discussion and to broadly identify opportunities for using existing or new datasets

# AgWG

- MPA
  - NGO comment on the complexity of the changes and if they can be implemented
  - CBPO commented that all options are on the table but will need to prioritize available resources to determine if they can be implemented
  - NGO commented that would welcome the use of improved industry data such as poultry litter production
  - Chair commented on the value of the workshop
  - NGO commented that ARS would be a valuable resource such as University Park at PSU
  - Chair welcomed suggestion and asked that the WG weigh in with additional suggestions to the ad hoc planning group
  - NY commented that data needs to be historical for use and the maintenance of the data into the future

# AgWG

- Ag Land Use
  - LUWG coordinator provided an overview of the USGS sand LUWG efforts with future land uses and projections
  - Reviewed timeline of the LUWG to develop the final Phase 6 recommendations, the currently used data sets, potential future datasets, and new datasets
  - Highlighted differences in data such as the NASS annual vs. census
  - Discussed the potential of representing farmstead acreage that is currently not included for impervious and pervious surface areas
  - Chair noted that the LUWG will be working across the sector but that the AgWG will only focus on ag
  - CBPO commented that the land use loading rates will be developed by the modeling workgroup with input from the sector workgroups including the LUWG

# AgWG

- Ag Land Uses cont.
  - MD commented on the identification of land areas such as athletic fields, etc.
  - LUWG Coordinator responded that a variety of data sources are required to complete an analysis
  - USDA noted that forests were not mentioned in the ppt.
  - Chair responded that this will be discussed in the next presentation
  - NGO commented that there would be differences between large and small farms which would need to be addressed in an analysis
  - NGO commented on the separation of use of remote data with NASS data to represent the total acreage
  - LUWG Coordinator responded that the remote sensing data would not be replacing NASS data but supplementing the geo-spatial placement within counties and watersheds

# AgWG

- Ag Land Uses
  - CBPO commented if the decisions for using remote sensing have been made or are they still in discussion
  - LUWG Coordinator noted that the final decision are not made but are narrowing down the options
  - MD commented on the significant acreage of woodland associated with farms and how this would be represented in the analysis
  - CBPO noted that the farm woodlands would be combined with other woodlands for the loads
- Ag Land Use Proposal
  - Chair reviewed the draft proposal
  - NGO commented on the differences between silvi-culture and agro-forestry
  - Coordinator responded that the Forestry WG will be developing their own land uses recommendations and that the WG will need to coordinate the crossovers

# AgWG

- NGO comment that alfalfa could be considered more with row crop in the rotations vs. long term grass hayland
- Coordinator commented on the opportunities for flexibility with BMPs vs. land uses; land uses are much more rigid than BMPs over time for modifications
- NGO commented on the definition of the idle/fallow land use
- Coordinator commented that the previous land use of mixed open was being discussed with the modeling team to potential reintroduce
- NGO commented that the mixed open category may not appropriately represent farm areas that are not being actively farmed due to wet soils, etc.
- USDA recommended the organization of rotational cropping systems with sub-categories to define hayland, row crop, etc; separation by manure vs. fertilizer
- NGO commented that CDSI with NRCS data includes a discussion on land uses; may be useful to relate

# AgWG

- Chair reviewed the baseline conditions and assumptions
- NGO commented on the allowance of tillage and nutrient sources on all appropriate land uses- positive
- NGO agreed that these baseline assumptions were a positive step forward
- NGO asked how the transport of manure would be represented in this proposal
- Coordinator responded that the transport of manure is already tracked and reported as a BMP to remove nutrients
- CBPO commented that the simplification of the land uses may be positive and negative, may lose ability to define loads for specific land uses
- USDA noted that the use of a crop rotation system would be more representative



# AgWG

- NGO suggested that sectors coordinate across the sectors to allow for comparisons; i.e. woodland in ag vs. woodland
- Coordinator noted that the AFO/CAFO land use split could be represented by the modeling team as part of the data processing vs. as a land use
- USDA question on the decision to divide the livestock load allocations in the TMDL between the NPS and Waste Load allocations
- Coordinator responded that the jurisdictions determined the divisions in the WIPs used for the TMDL